

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ALYSSA IRENE GORHAM,

Case No. 2:13-CV-1337 JCM (NJK)

Plaintiff(s),

ORDER

V.

MICHAEL STEPHENS,

Defendant(s).

Presently before the court is *pro se* plaintiff Alyssa Irene Gorham's (hereinafter "plaintiff") motion for default judgment. (Doc. # 36).

Obtaining a default judgment is a two-step process. *Eitel v. McCool*, 782 F.2d 1470, 1471 (9th Cir. 1986). First, “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” Fed. R. Civ. P. 55(a). Federal Rule of Civil Procedure 55(b)(2) provides that “a court may enter a default judgment after the party seeking default applies to the clerk of the court as required by subsection (a) of this rule.” Fed. R. Civ. P. 55(b)(2).

On August 12, 2013, the magistrate judge granted plaintiff's motion for service by publication. (Doc. # 33). On October 28, 2014, plaintiff filed proof of service by publication. (Doc. # 34). The last publication date was October 6, 2014. (Doc. # 34). Defendant Michael Stephens (hereinafter "defendant") has failed to respond.

On November 19, 2014, plaintiff moved for an entry of clerk's default. (Doc. # 35). On November 20, 2014, the clerk of court entered default against defendant. (Doc. # 37).

1 Plaintiff has properly complied with Federal Rule of Civil Procedure 55. Therefore, the
2 court finds good cause to grant the motion for default judgment.

3 Plaintiff also requests a permanent injunction against defendant. The court previously
4 granted plaintiff's motion for a preliminary injunction on August 12, 2013. (Doc. # 17).

5 Accordingly,

6 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that plaintiff's motion for
7 default judgment, (Doc. # 36), be, and the same hereby is, GRANTED.

8 IT IS FURTHER ORDERED that plaintiff shall file a proposed order granting her
9 request for a permanent injunction forthwith.

10 DATED November 25, 2014.

11 
12 UNITED STATES DISTRICT JUDGE

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